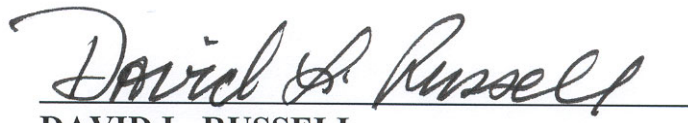


is sufficient to pay the \$402.00 filing fee. Accordingly, the Court hereby adopts the Report and Recommendation, DENIES Plaintiff's Motions for Leave (Doc. Nos. 6 and 9). Plaintiff shall submit the \$402.00 filing fee within fourteen days of entry of this Order. Failure to do so will result in dismissal of this case without prejudice.²

Plaintiff also submitted a letter on March 13, 2023, asserting that Defendants in each of his cases are in default. (Doc. No. 10). Because the issue of Plaintiff's filing fees has not been resolved, none of the Defendants in any of his cases has been served with process. Indeed, pursuant to the Court's Local Civil Rule 3.3(d), these cases are only conditionally filed. None of the Defendants is obligated to respond to the litigation until such time as ordered to do so by the Court per Local Civil Rule 9.2(c) and accordingly, his request for the entry of default and the payment of money is DENIED.

IT IS SO ORDERED this 3rd day of May 2023.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE

² In the event that Plaintiff tenders the \$402.00 in this case the Court will reconsider whether, given the adjustment to the balance of his accounts caused by this payment, he should be permitted leave to proceed *in forma pauperis* in his other case. See CIV-23-71-R.